

Approved January 22, 2009

TITLE: PROPOSED ADDITION TO VCCS *POLICY MANUAL* SECTIONS REGARDING STUDENTS WITH DISABILITIES: 5.6.5.0.1 and 6.0.3) (Academic, Student Affairs, and Workforce Development Committee, Action Item III.A.2.a.)

BACKGROUND:

A task force consisting of disability service coordinators from NVCC, NRCC, JTCC, SVCC, TCC, and JSRCC was formed this past summer to discuss and develop documentation required by the VCCS of students with disabilities. This was a result of the recent adoption of the Summary of Performance (SOPs) by the K-12 system and the suggestion that VCCS colleges should accept the SOP as a source of documentation to provide services to students with disabilities. At its November, 2008, meeting ASAC approved the revision to Section 5.6.5.0.1 and the addition of Section 6.0.4, following System Counsel's review. The proposed changes were approved by ACOP at its December, 2008, meeting.

RECOMMENDATION:

It is recommended that the State Board for Community Colleges approve the revision to *Policy Manual* Section 5.6.5.0.1 and a new section to follow 6.0.3:

5.6.5.0.1 **Substitution of requirements for students ~~under~~ with documented disabilities, covered by the Americans with Disabilities Act of 1990 (ADA) and § 504 of the Rehabilitation Act of 1973, as amended**

~~Under certain circumstances courses may be waived consistent with ADA guidelines.~~ *Otherwise qualified students with documented disabilities who are, by reason of their disability, unable to complete a requirement of the program pursued by the student, with or without reasonable accommodations, may request an approved course substitution.*

^[1]Substitutions will generally not be granted for any course that is deemed

^[1] 34 C.F.R. 104.44(a) Academic requirements.

A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the recipient can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of

essential to the program of instruction being pursued by such student, or to any directly related licensing requirement. If requirements are waived, students must successfully complete other courses to compensate for the credit hours.

Insert after 6.0.3 and re-number:

6.0.4 Students with Documented Disabilities

Consistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the VCCS guarantees that no qualified individual shall by reason of disability be denied access to, participation in, or the benefits of college. Each qualified person shall receive appropriate, reasonable accommodations upon request to insure full and equal access to educational opportunities, programs, and activities.

6.0.4.1 *In order to provide appropriate, reasonable accommodations to students with disabilities who seek them, colleges shall require documentation from a qualified professional that includes a full clinical description, current functional limitations, and a prognosis to include any expected future decline in functional ability. This documentation must also include information about the methodology used to make a diagnosis, specific results of the assessments used, summary data, and specific assessment scores based on adult norms.*

RESOURCE PERSONS:

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specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.